

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: John J Liberty and Michelle A Liberty  
aka Michelle A. Figueroa aka Michelle A.  
McNeill aka Michelle A. Watson  
Debtor

Caliber Home Loans, Inc., or its Successor or  
Assignee

Movant

vs.

Willaim C. Miller, Esq., Trustee  
John J Liberty and Michelle A Liberty aka  
Michelle A. Figueroa aka Michelle A. McNeill  
aka Michelle A. Watson

Respondent(s)

Chapter 13  
Bankruptcy No. 19-17065-elf

**MOTION OF CALIBER HOME LOANS, INC., OR ITS SUCCESSOR OR ASSIGNEE  
FOR RELIEF FROM AUTOMATIC STAY UNDER § 362(a)**

Movant: Caliber Home Loans, Inc., or its Successor or Assignee

Mortgage dated November 17, 2017 and recorded November 29, 2017 in the Office of the  
Recorder of Bucks County as Instrument Number: 2017072465.

Assignment of Mortgage dated October 7, 2019 and recorded October 22, 2019 in the Office of  
the Recorder of Bucks County as Instrument Number: 2019059918.

1. Caliber Home Loans, Inc., or its Successor or Assignee (hereinafter  
"Movant") holds a claim secured by a duly recorded Mortgage on property of John J Liberty and  
Michelle A Liberty aka Michelle A. Figueroa aka Michelle A. McNeill aka Michelle A. Watson,  
or of the bankruptcy estate located at: 670 Shaw Ave., Langhorne, Pennsylvania 19047-5568.

2. John J Liberty and Michelle A Liberty aka Michelle A. Figueroa aka  
Michelle A. McNeill aka Michelle A. Watson (hereinafter "Debtors") filed a Petition under  
Chapter 13 on November 8, 2019.

3. As of May 10, 2021, the Mortgage requires payments each month of  
\$2,512.02.

4. Movant has not received regular mortgage payments and lacks adequate  
protection of its interests.

5. Debtors are in default of post-petition payments to the present date from  
March 1, 2021.

6. The total amount of the post-petition arrearage as of this date is \$6,954.10  
This figure is broken down as follows:

-three (3) delinquent payments of \$2,512.02 for the months of March, 2021 through May, 2021  
-less suspense balance of \$581.96

7. Since May 10, 2021, Movant has incurred attorneys' fees in connection with this Motion.

8. Movant does not have and has not been offered adequate protection for its interest in said premises and may be required to pay expenses for said premises in order to preserve its lien, which is the obligation of the Debtors under said Mortgage.

9. Movant specifically requests permission from the Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

WHEREFORE, Movant prays for an order modifying the automatic stay of Bankruptcy Code § 362(a) to permit Movant to foreclose its Mortgage and to exercise any other rights it has under the Mortgage or with respect to the mortgaged property such actions may include but are not limited to selling the property at Sheriff Sale, entering into a loan modification or signing a deed in lieu of foreclosure; and

Further, granting Movant permission from this Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with the applicable nonbankruptcy law.

/s/ Lauren M. Moyer  
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